United Nations Convention on the Law of the Sea SPLOS/L.30

Meeting of States Parties

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Original: English

Thirteenth Meeting
New York, 9-13 June 2003

Draft decisions on budgetary matters of the International Tribunal for the Law of the Sea for 2004

1. The Meeting of States Parties approves the budget of the International Tribunal for the Law of the Sea for 2004, amounting to US$ 8,039,000, as set out in annex I to the present document, together with the staffing table for the Registry of the Tribunal in 2004, as contained in annexes II and III.

2. With a view to providing the Tribunal with the necessary financial means to consider cases in 2004, in particular those requiring expeditious proceedings, the Meeting of States Parties approves an amount of US$ 1,109,200 in 2004 as case-related costs of the Tribunal. The Meeting agreed that the budget part entitled "contingency costs" should be renamed "case-related costs". The case-related costs shall only be used in the event of cases being submitted to the Tribunal.

3. Without prejudice to the application of the provisions of article 19 of annex VI to the United Nations Convention on the Law of the Sea in respect of future budgets of the Tribunal regarding the contribution to be made by the International Seabed Authority, the budget of the Tribunal for 2004, including its case-related costs in 2004, amounting to US$ 1,109,200, will be financed by all States and international organizations that are Parties to the Convention.

4. The Meeting of States Parties decides that the contributions to be made by States Parties shall be based upon the scale of assessments for the regular budget of the United Nations in the preceding financial year adjusted to take account of participation in the Convention. The Meeting also decides that a floor rate of 0.01 per cent and a ceiling rate of 24 per cent would be used in establishing the rate of assessment for States Parties for the budget of the Tribunal for 2004.

5. With respect to the Tribunal's budget proposals for 2005-2006, the Meeting of States Parties requests the Tribunal to review the method used to assess common staff costs in order to reflect more accurately the actual costs involved, and also requests the Tribunal to consider whether assessment of common staff costs should be based on actual costs rather than using the United Nations applicable standard costs.

03-39318 (E) 120603

Annex I

Administrative expenses of the International Tribunal for the Law of the Sea covering the period from 1 January to 31 December 2004

(In United States dollars)

	Part/ Section	Object of expenditure	Approved budget 2000	Performance 2000	Approved budget 2001	Performance 2001	Approved budget 2002	Projected performance 2002	Approved budget 2003	Proposed budget 2004	Differ./ increase
1	I	**Recurrent expenditure**									
2	A	**Judges**					**1 808 100**	**1 773 111**	**1 896 000**	**1 862 100**	
3		Annual allowances	1 295 107	1 279 717	1 295 100	1 212 843	1 295 100	1 304 304	1 295 100	1 298 300	3 200
4		Special allowances	311 717	310 081	329 500	294 774	318 000	306 599	310 100	360 100	50 000
5		Travel to sessions	240 000	218 897	120 000	113 607	120 000	110 902	125 000	130 000	5 000
6		Pension scheme	16 666	18 669	15 400	35 259	75 000	51 306	165 800	67 700	-98 100
7		Insurance scheme								6 000	6 000
8	B	**Staff costs**					**3 226 300**	**3 225 184**	**3 301 300**	**3 276 600**	
9		Established posts	2 413 725	1 895 179	2 523 900	1 986 560	2 187 700	2 156 001	2 249 700	2 633 000[a]	383 300
10		Staff assessment credit								-559 400	-559 400
11		Common staff costs	806 184	622 340	841 300	750 283	729 200	821 739	771 600	932 100[b]	160 500
12		Overtime	45 330	44 128	50 300	21 766	50 300	30 680	35 000	21 000[c]	-14 000
13		Temporary assistance for meetings	129 091	117 537	129 100	80 825	129 100	91 868	100 000	114 900	14 900
14		General temporary assistance	120 000	42 323	120 000	119 707	100 000	99 906	110 000	100 000	-10 000
15		Training	15 400	15 397	30 000	24 948	30 000	24 990	35 000	35 000	0
16	C	**Representation allowance**	7 600	7 600	7 600	6 772	**7 600**	**7 309**	**7 600**	**7 600**	0
17	D	**Official travel**	90 200	84 008	94 700	58 924	**94 700**	**68 067**	**90 700**	**90 700**	0
18	E	**Hospitality**	7 100	4 603	7 100	6 865	**7 100**	**3 603**	**7 100**	**7 100**	0
19	F	**Operating expenditures**					**1 179 000**	**1 024 728**	**1 232 700**	**1 415 700**	
20		Maintenance of premises	350 000	273 714	525 000	560 595	698 300	739 786	815 000	1 032 000	217 000
21		Security (contractual services)	137 135	23 426	150 000	118 902					
22		Rental and maintenance of equipment	240 000	115 971	207 000	195 898	207 000	138 720	200 000	177 500	-22 500
23		Communications	151 000	87 [illegible]0	146 000	82 762	146 000	69 872	115 000	103 500	-11 500
24		Miscellaneous services and charges (including bank charges)	25 000	16 842	25 000	18 402	25 000	15 317	20 000	20 000	0
25		Supplies and materials	85 000	65 815	85 000	40 274	85 000	47 533	65 000	65 000	0
26		Special services (external audit)	15 400	13 000	15 400	13 100	17 700	13 500	17 700	17 700	0

	Part/ Section	Object of expenditure	Approved budget 2000	Performance 2000	Approved budget 2001	Performance 2001	Approved budget 2002	Projected performance 2002	Approved budget 2003	Proposed budget 2004	Differ/ increase
27	G	**Library and related costs**					**199 600**	**192 687**	**175 000**	**175 000**	
28		Library — procurement of books and publications	60 000	59 959	60 000	59 755	75 000	74 744	120 000	120 000	0
29		Start-up costs of library	60 000	58 565	60 000	59 675	60 000	55 649	0	0	0
30		External printing and binding	50 600	48 640	64 600	58 894	64 600	62 294	55 000	55 000	0
31	II	**Non-recurrent expenditure**									
32	A	**Furniture and equipment**					**340 800**	**245 006**	**100 000**	**95 000**	
33		Purchase of equipment	230 000	185 838	248 000	222 397	310 000	231 960	100 000	95 000	-5 000
34		Purchase of special equipment	17 000	13 887	27 000	16 916	30 800	13 046	0	0	0
35											
36	III	**Case-related costs**	679 364	493 565	863 900	731 199	**894 300**	**362 272**			
37	A	**Judges**							**808 600**	**897 400**	
38		Special allowances							633 300	716 800	83 500
39		Compensation to judges ad hoc							40 300	43 600	3 300
40		Travel to meetings, including judges ad hoc							135 000	137 000	2 000
41	B	**Staff costs**							**179 300**	**211 800**	
42		Temporary assistance for meetings							179 300	197 800	18 500
43		Overtime							0	14 000	14 000
44											
45	IV	**Working Capital Fund**	50 000	250 000	50 000	700 000	50 000	0	0	**0**	0
46											
47		**Total**	**7 657 019**	**6 374 760**	**8 090 900**	**7 591 902**	**7 807 500**	**6 901 967**	**7 798 300**	**8 039 000**	**240 700**

Rate of exchange US$ 1 = €0.929 as at March 2003.

[a] Budget information system, standard salary costs — version 13, year 2003 applicable to The Hague.
[b] Common staff costs rate 35.4% of the established posts.
[c] An amount of $14,000 has been moved to case-related costs.

Annex II

Professional staff of the Registry in 2004

Level	*Function*[a]	*Number of posts*	*Standard costs (United States dollars)*
ASG	Registrar	1	175 967
D-2	Deputy Registrar	1	157 174
P-5	Head of Administration and Management	1	124 355
P-5	Head of Conference and Linguistic Services	1	124 355
P-4	Librarian	1	110 891
P-4	Head of Budget and Finance	1	110 891
P-4	Translator/Reviser	1	110 891
P-4	Legal Officer	2	221 782
P-3	Legal Officer/Information	1	80 597
P-3	Information Technology Officer[a]	1	80 597
P-3	Translator/Reviser	1	80 597
P-2	Contributions Officer/Budget	1	67 507
P-2	Associate Legal Officer/Research	1	67 507
P-2	Administrative Officer (Support/Building Management)	1	67 507
P-2	Archivist	1	67 507
	Total (rounded)	**16**	**1 648 100**

[a] Change of title as approved by the Tribunal at its fifteenth session.

Annex III

General Service staff of the Registry in 2004

Level	*Function*[a]	*Number of posts*	*Standard costs (United States dollars)*
Principal level			
	Administrative Assistant (Personnel)	1	53 683
	Administrative Assistant (Procurement)	1	53 683
	Building Coordinator	1	53 683
	Computer Systems Assistant	1	53 683
	Press Assistant	1	53 683
	Publications/Personal Assistant (Registrar)	1	53 683
Other levels			
	Administrative Assistant	1	44 186
	Administrative Assistant (Contributions)	1	44 186
	Conference/Documentation Assistant	1	44 186
	Finance Assistant	1	44 186
	Finance Assistant (Accounts Payable)	1	44 186
	Library Assistant	1	44 186
	Linguistic Assistant/Judiciary Support	2	88 373
	Personal Assistant (Deputy Registrar)	1	44 186
	Personal Assistant (President)	1	44 186
	Personnel Assistant	1	44 186
	Receptionist	1	44 186
	Security Officer/Driver	2	88 373
	Senior Security Officer/Building Superintendent	1	44 186
	Total (rounded)	**21**	**984 900**

[a] Revised grading classification of post as adopted by the Tribunal at its fifteenth session.

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Meeting of States Parties

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Draft decision on the scale of assessments for the budgets of the International Tribunal for the Law of the Sea for 2004 and 2005-2006

1. The Meeting of States Parties decides that the contributions to be made by States Parties to the budget of the International Tribunal for the Law of the Sea for 2004 shall be based upon the scale of assessments for the regular budget of the United Nations for the financial year 2003 adjusted to take account of participation in the United Nations Convention on the Law of the Sea. The Meeting also decides that a floor rate of 0.01 per cent and a ceiling rate of 24 per cent would be used in establishing the rate of assessment for States Parties for the budget of the Tribunal for 2004.

2. The Meeting of States Parties decides that the contributions to be made by States Parties to the budget of the Tribunal for the period 2005-2006 shall be based upon the scale of assessments for the regular budget of the United Nations for the financial year 2004 adjusted to take account of participation in the Convention. The Meeting also decides that a floor rate of 0.01 per cent and a ceiling rate of 22 per cent would be used in establishing the rate of assessment for States Parties for the budget of the Tribunal for 2005-2006.

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Draft decision relating to the staff assessment fund of the International Tribunal for the Law of the Sea

The Meeting, having considered a working paper prepared by the International Tribunal for the Law of the Sea entitled "Draft proposal relating to the staff assessment fund of the International Tribunal for the Law of the Sea",[1] decides that:

(a) Budgetary appropriations in respect of established posts shall be calculated on the basis of gross salary. Assessments of States Parties' contributions shall include a credit in respect of the amount of staff assessment relating thereto. Accordingly, contributions by States Parties shall be assessed on the basis of net salary;

(b) The Tribunal shall deduct from the contributions of States Parties for 2004 the amount in the staff assessment fund as of 31 December 2002 pro rata to their contributions thereto for each financial year concerned;

(c) The amount of staff assessment accumulated in the financial year 2003 shall be used to reimburse officials and members of the Tribunal for national taxes paid in respect of remuneration paid by the Tribunal in 2003 and 2004. Thereafter the amount remaining in the staff assessment fund shall be deducted from the contributions of States Parties for 2005-2006;

(d) The Tribunal shall seek to negotiate bilateral agreements concerning tax reimbursements by States which levy national taxes on remuneration paid by the Tribunal, and shall report to the fourteenth Meeting of States Parties thereon;

(e) If necessary, the Tribunal shall include in its budget proposals for 2005-2006 a budget line to reimburse officials and members of the Tribunal for national taxes paid in respect of remuneration paid by the Tribunal;

(f) The Tribunal shall study staff assessment systems adopted for other international organizations, and shall submit to the fourteenth Meeting of States Parties a report on this matter together with proposals on possible solutions to ensure that States Parties' contributions will not be used to reimburse tax levied by other States.

[1] SPLOS/2003/WP.2.

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Draft decision on budgetary matters of the International Tribunal for the Law of the Sea for 2003

1. In the event that the Tribunal is unable to meet approved expenditures for 2003 from appropriations made with respect to the budget lines "Established posts" and "Common staff costs", the Meeting of States Parties authorizes the Registrar to incur expenditures to the extent that the shortfall in appropriations results from unforeseeable increases in daily subsistence allowance (DSA), salary costs and common costs, as applied within the United Nations common system.

2. In the event that the Tribunal is unable to meet approved expenditures for 2003 from appropriations made in the budget line "Maintenance of premises", the Meeting of States Parties authorizes the Registrar to incur expenditures to the extent that the shortfall in appropriations results from exchange rate fluctuations.

3. The Meeting of States Parties authorizes the Tribunal to finance the over-expenditures referred to in paragraphs 1 and 2 by transfers between appropriation sections as far as possible and, if necessary, by using the savings from the financial period 2002.

4. The Meeting of States Parties further decides that the Registrar shall report to the fourteenth Meeting of States Parties on any action taken pursuant to paragraph 3. together with the circumstances relating thereto.

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Draft decision relating to the Financial Regulations of the International Tribunal for the Law of the Sea

The Meeting of States Parties adopts the Financial Regulations of the International Tribunal for the Law of the Sea as contained in document SPLOS/2003/WP.3, and decides that the Regulations shall become effective on 1 January 2004 and shall apply to the financial period 2005-2006 and to subsequent financial periods.

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Draft decision concerning the liability of the International Tribunal for the Law of the Sea in the event of the death, injury or illness of members of the Tribunal attributable to service with the Tribunal

1. The Meeting of States Parties decides that provision should be made to cover the liability of the International Tribunal for the Law of the Sea in the event of the death, injury or illness of members of the Tribunal attributable to service with the Tribunal.

2. The Meeting of States Parties authorizes the Tribunal to request the Secretary-General of the United Nations, within the ambit of the Agreement on Cooperation and Relationship between the United Nations and the International Tribunal for the Law of the Sea, to consider extending to members of the Tribunal such coverage under the "Rules Governing Compensation to Members of Commissions, Committees or Similar Bodies in the Event of Death, Injury or Illness Attributable to Service with the United Nations",[1] in accordance with section VI, paragraph 2, of General Assembly resolution 34/233 of 20 December 1979.

3. The Meeting of States Parties approves, pending the decision by the Secretary-General, an appropriation of US$ 6,000 for 2004 in order to provide the Tribunal with the necessary financial means to cover its liability in the event of death, injury or illness of members of the Tribunal attributable to service with the Tribunal by taking out an insurance policy providing for equivalent benefits to those available under the "Rules Governing Compensation to Members of Commissions, Committees or Similar Bodies in the Event of Death, Injury or Illness Attributable to Service with the United Nations".

[1] ST/SGB/103/Rev.1.

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